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Name: Raquel Rose Pennington
Party: Defendants
Exhibit RRP2
Date: June 2020

Claim No: QB-2018-006323

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

MEDIA AND COMMUNICATIONS LIST

BETWEEN:

John Christopher Depp II

Claimant

-and-

(1) News Group Newspapers Ltd

(2) Dan Wootton

Defendants

WITNESS STATEMENT OF RAQUEL ROSE PENNINGTON

I, **RAQUEL ROSE PENNINGTON** [redacted], USA WILL SAY AS FOLLOWS:

1. I am a yoga teacher and I run a jewellery business. I have been a friend of Amber Heard since 2003, when we were both working as clerks at a Whole Earth Provision Company store in Austin, Texas.

2. The facts and matters set out in this statement are within my own knowledge and belief unless otherwise stated, and I believe them to be true. Where I refer to information supplied by others, a source of the information is identified. Facts and matters derived from these other sources are true to the best of my knowledge and belief. I make this statement in support of the Defendants' defence of these proceedings.

3. On 27 May 2016 I gave evidence in a declaration in support of Amber Heard's request for a Domestic Violence Restraining Order against John Christopher Depp II (AKA Johnny Depp), Case No. BD641052 in the Superior Court of the State of California for the County of Los Angeles.

E606.1

4. On 16 June 2016 and 14 July 2016 I testified in a deposition in the divorce case between Amber Heard and Johnny Depp, Case No. BD641052 in the Superior Court of the State of California for the County of Los Angeles.

5. Speaking generally, many times over the course of their relationship, Amber has confided in me about Johnny abusing her, both physically and verbally. Of course, there were also periods of joy and positivity during the course of their relationship. About the various incidents relevant to this case of which I have knowledge I will say as follows.

Early indications

6. Early in Johnny and Amber's relationship, before they lived together, I noticed that one of Amber's paintings that she usually had on her wall (a painting by her ex-partner Tasya van Ree) was damaged. I asked her about it. Amber said that Johnny got mad and had tried to set the painting on fire. I did not know then that he had been physically abusive to Amber.

7. In a different incident, I remember that I went on a trip to Hicksville with Amber, Johnny, a group of our friends, and some of Johnny's people. At some point during the night, Johnny suddenly became angry and aggressive towards a friend of mine after she hugged Amber. He said words to the effect of "*get off my woman*". Amber took Johnny back to their trailer and I learned from Amber the next morning that he had been in a rage and trashed their trailer.

2014

8. Amber told me many times in 2014 about Johnny's violent and abusive behaviour toward her. One instance that we spoke about several times was when Johnny had kicked her when they were on a plane together. I remember discussing this with Amber and another person who was on the plane when it happened. I was also shown texts from Johnny's assistant apologizing on Johnny's behalf.

9. At that time, Amber attributed his violent and abusive behaviour to his drinking and drug use.

Australia

10. The first time I became really scared for Amber's life was the Australia incident. By this time I was living with my then-fiancé Josh Drew in an apartment block with Amber and Johnny on the PH floor of the [redacted]. As soon as she returned from Australia, Amber came straight to my apartment, PH1, in the [redacted] and told me about the biggest argument they had had to date.

11. She had gashes on her arms from the incident. I could see that her forearms were scratched and bloody, from her wrists to her elbows. She still has scars on her arms from this incident. I also saw at some point that her feet were cut too.

12. She said that they had been fighting because Johnny was not supposed to be drinking, but he was. She said she told him "*this is what we've talked about…this is part of the deal breaker. You're not supposed to be drinking. I thought you were getting clean."* He was drunk and said something like "*here, take the bottle*" and threw it at her. She said that he was throwing glass bottles at her, and there was broken glass all over the ground which cut her feet. She said he backed her up against a bar and she was trying to support herself but her arms were sliding down and getting cut by broken glass. Amber told me that at this point Johnny ripped off her nightgown and she was naked on the ground, all wet with alcohol, and bleeding.

13. Amber told me that at some point during this fight Johnny had cut the tip of his finger off. Amber showed me pictures of painted messages Johnny had written all over the rental house in paint and his own blood. She said that whilst she had gone to get dressed he had dipped his bloody finger in paint and written all over the walls and the lampshades. She said she came down and he was urinating on the furniture and had smashed the television.

14. I told Amber that we (meaning her, myself, and Josh) needed to move out of the [redacted]. I voiced my concerns to Amber that Johnny might accidentally kill her while he was intoxicated or delusional like he was in Australia. But Amber continued to think she could help him and that things would get better, and I felt an obligation to stay close for her safety.

15. Johnny came back from Australia soon afterwards. Johnny told me himself sometime after he had come back from Australia that during the fight he had somehow managed to cut the tip of his own finger off on a broken piece of glass.

16. I saw a nurse frequently attend to Johnny following the Australia trip. The nurse had to re-bandage his severed finger on a regular basis. I remember sitting at the kitchen counter the first time Johnny took off the finger dressing. I had been cooking the night before, and I had accidentally cut my own finger, so I had shown Johnny my own teeny wound, and we both commented about how crazy it was that Johnny had severed part of his finger. There was a tone in Johnny's voice and manner that recognized the absurdity of what he had done, almost as if he was saying, "*wow, look how crazy it got this time."* At that time Johnny never made even a suggestion that Amber was in any way responsible for the injuries to his finger. At one point he commented that you could still see the black paint in the wound from when he had used the paint to spread messages across the house they rented in Australia. He said, "*Yeah that fucker just won't heal. That's what happens when you get paint in it."*

Los Angeles, November 2015

17. I attended Thanksgiving dinner with Johnny and Amber and a number of others at their apartment, PH5, in November 2015. At one point late in the meal Amber went upstairs to look for Johnny and stayed up there for a long time. After a long time they both came downstairs. When I asked Amber what had happened she told me that Johnny had thrown a bottle of wine at her in the bedroom. I went to look and found that a full bottle of wine had hit and broken a piece of art that Amber really loves above the bed and that broken glass was scattered all over the bed.

18. I went back downstairs and spoke to Amber. She was upset, but just wanted to get through dinner without further problems.

Los Angeles, December 2015

19. On this occasion, Amber asked me to come over to her place to check her out. I could see that her head was bloody where a chunk of her hair had been ripped out from the back of her head close to the crown. Her face was red and her nose was swelling up. Her lip was

bleeding. She told me that Johnny had head-butted her. She said she thought he might have broken her nose.

20. I helped Amber with her injuries and called for assistance from a private nurse who was part of the concierge medical service which Johnny and Amber used. I then took photographs with my phone of her injuries. I photographed Amber's face and took photos of the apartment. There was broken glass under the dining room table. In the kitchen a message was scrawled onto the kitchen counter with a gold Sharpie. Parts of it were illegible to me but it said words to the effect of *"why be a fraud, all is such bullshit"*.

21. I then went upstairs and took photographs of the damage. I photographed a big clump of hair on the floor which was blonde in colour and clearly belonged to Amber. There was also a wooden platform bed which had a partially-broken bed frame and a body shaped imprint in the bedding.

22. Amber told me that she and Johnny had started to argue in the bedroom and that at some point it started to escalate and get physical. She said she tried to get away, and he grabbed her by the shoulders and head-butted her and threw her on the bed. She said that when she tried to get away again, he grabbed her by the hair so hard he pulled it out. She said he then threw her on the bed face down and started holding her down. She told me "*I couldn't breathe…I thought he was actually going to kill me*." She said that he was kicking her in the back (that was how the bed broke – apparently when his foot slipped and kicked the bed) and punching her in the back of the head. Eventually she managed to get away from him. Johnny then left. Neither Amber nor I got much sleep that night.

23. The next day, Amber had an appearance on the James Corden Show. I was at Amber's apartment as she got ready for the show. Amber and I were exhausted, and Amber was shaken, upset, and trying to pull herself together for the show. Samantha was styling her, Melanie was doing her makeup, and Adir was doing her hair. Everyone was in damage-control mode and appeared to be aware of Amber's injuries. I remember Adir telling Amber not to touch her hair because he had styled it to cover up where the clump had been pulled out, and Melanie telling Amber she was going to do a certain kind of lip to cover the swelling. We all went to the studio and were together in the green room before the show. Melanie and Adir did touch-ups to Amber's hair and makeup, while Samantha and I sat on a small sofa. I remember that Samantha put her arm around me as if to comfort me, and I leaned in towards her.

Birthday Party, April 2016

24. 21 April 2016 was the day of Amber's birthday party. We had a small gathering planned, including a dinner at 8pm on the patio of PH5 for about 12 guests. Guests started to arrive from about 8pm, but Johnny was not there. After about an hour, we decided to start dinner without him. More than once Amber said "he's not here", meaning Johnny. She was calm but sad.

25. Johnny arrived sometime after we had finished dinner. A number of guests were still there, and we were still sitting at the dinner table on the patio. Amber gave Johnny a plate of food that had been set aside for him and Johnny sat next to Amber. Eventually guests began to leave, and I returned to my apartment.

26. Early the next morning I received a message from Amber. She said that Johnny had left, that they had had a bad argument, and that she wanted me to wake her up between 10 and 10.30am so that we could leave to go to Coachella, which had been planned for Amber's birthday. She said that she didn't have her phone with her so couldn't set an alarm.

27. When I went to wake Amber in the morning, I opened her bedroom door and saw that there was shattered glass all over the floor. I stopped where I was. I saw that a lamp was broken and that pictures had been ripped down from the walls. I made my way carefully around the broken glass and climbed into Amber's bed and gently woke her. We watched a video that I had put together for her birthday.

28. At this point Amber started crying and said that Johnny had got really "bad" again. She had told him that it had really hurt her feelings that he had been so late to the party. She said he had become defensive and started yelling at her. She said that the fight escalated, and that during the argument he had thrown her phone out of the window and she had also thrown his phone out of the window.

29. I suggested that she take a shower whilst I made some coffee for her downstairs. We spent the first part of that day trying to locate Johnny's phone, postponing our trip until we did so. Eventually, with the help of someone from Johnny's security team named Starling Jenkins, we were able to recover it. I also took some photographs of the damage on my phone. After that, we got ready and left on our trip.

30. I later found out that Johnny was convinced that iO Tillett Wright had defecated in Amber and Johnny's bed on the night of the birthday party or the morning after. At no time did I see any faeces in the bed and at no time was this topic discussed. iO was not even in LA at that time, let alone in Amber's bed. I understand that, during the 21 May 2016 incident discussed below, Amber had called iO so that iO could tell Johnny that the accusation was completely unfounded.

Los Angeles, 21 May 2016

31. That day Josh, Amber, and my friend Liz were in PH5 with me, helping me prepare for a bead exposition the next day where I would be exhibiting my work. Amber got a text from Johnny. She said that "*Johnny wants to come over and get some stuff and talk*". Sometime in the early evening, Amber said that Johnny had arrived over in PH3 and that she was going to go over to the apartment and talk to him. I told her that I thought this was a very bad idea, but she promised that she would check in with me regularly. She left PH5 to go over to PH3.

32. Amber sent me a text at 8.06pm asking me to come over to her apartment right away. When I arrived at PH3, I could hear Johnny yelling very loudly through the door. I knocked, but there was no answer. The door was locked, so I ran to PH5 to get my keys. When I let myself into the apartment, Johnny was in the space between the end of the kitchen island and the living room at the bottom of the stairs. Amber was in the living room on the other side of the coffee table by the couch. Amber was holding her face and head in her hands as Johnny was screaming at her. They were about 12 feet apart. Amber was yelling "*help*" at me. I said, "*Is everything ok?*". Amber said "*No. Help, please. He hit me with the phone. Please help. Please call for help.*" He was yelling obscenities, shouting "*she's a fucking liar. Get the fuck out of here. Oh, poor her. A little phone hit you. Poor fucking you. Oh, oh, so sorry*".

33. I walked over to Johnny, and when he saw me he said "*get the fuck out of here*". He started to walk towards Amber, and I stepped in front of him to shield her from him, with my hands up, lightly touching his chest, and said "*stop, please*". To this he replied "*get your fucking hands off me*". He knocked my hands out of the way. I said "*stop*" again and put my hands out again to stop him. Johnny yelled obscenities at me, directly into my face. He yelled at me to "*Get the fuck out*". Johnny also shouted words to the effect of "*oh you want to be*

fucking tough now, where's your fucking bearded boyfriend, you've got what you want, you've got her all to yourself". He then backed up into the kitchen, saying "*the DNA test will prove it, we will find out who did this*".

34. At this point I went over to Amber on the couch, sort of holding the top half of her body on my lap and I covering her with my arms. Amber kept saying words to the effect of "*I didn't do anything. I just called iO to back me up, I didn't do anything*."

35. Johnny moved toward Amber and me on the couch. He stood right over us, not more than a foot away. He yelled words to the effect of "*get up. Get up, Amber. Get the fuck up. Get up right now. Get up*" about ten times.

36. While Johnny was standing over us and shouting, I distinctly remember looking at the large glass ashtray on the nearby coffee table and thinking that if he stepped closer to us I would grab it and hit him with it.

37. Jerry Judge and Sean Bett from Johnny's security team walked in and Johnny backed off.

38. Johnny said "*This fucking bitch. She thinks that I hit her. She's fucking insane*." He said "*oh, I tossed the phone and now she's saying that I hit her*". Amber stood up and said to Jerry "*he fucking threw it directly at me. If he hits me one more time, I'm calling the fucking cops*" and "*Jerry, I mean it, get him away from me. If he hits me one more time, I'm calling the fucking cops. I'm so sick of this*." Johnny denied that he had struck Amber. Amber then said again "*I didn't do anything, if he hits me one more time I'm calling the cops*."

39. Jerry said to Johnny "*come on, boss, we got to get out of here*" and "*boss, please, let's go*".

40. Johnny was smashing and knocking off things from the kitchen island, fruit and baskets and glass bottles and flowers. He then grabbed his bag and stormed out of the apartment. He had a wine bottle in his hand and was sloshing wine everywhere. His security did nothing but stand behind him. No effort was made to restrain him, and no acknowledgment was made of the violence.

41. After Johnny left Amber said words to the effect of *"iO called the police. I think the police are on their way*." Amber said to me "*check with iO. I was yelling on the phone with iO to*

call the police". I said, "*I'm going to verify with iO and I'm going to check to see if the cops are on their way*".

42. I said to Amber "*let's get out of here in case he comes back*", and we went to my apartment, PH1. I communicated with iO, who told me something to the effect of "*I called the cops. I heard him screaming. She yelled for me to call the cops. So I called them. They should be on their way soon*."

43. I did not see Johnny again that evening. Amber and I stayed in PH1 until Josh had checked all of the apartments to make sure Johnny was gone. At some point after he had done so, I went to PH3 and PH5 to check the damage and to find Amber's phone and purse. I discovered broken belongings, including my beads that had been thrown against the wall. Amber's belongings had been ransacked, framed photos had been smashed, and glass broken. In the hallway there were puddles of spilled wine on the floor and splashed on the walls, and a dent in the of my apartment.

44. We reconnected with Liz, who had been hiding by the pool. She was really scared. She said that Johnny had entered PH5 and charged toward her. She had ducked under his arms and ran out of the apartment.

45. I saw that Amber had an injury to her right eye as a result of the phone being thrown at her. There was redness and swelling. We took pictures of Amber's face which are exhibited at pages 12-14 of RRP 2 and pictures of the property damage which are exhibited at pages 15-18 of RRP 2.

46. At some point, we returned to PH3 to wait for the police. When the first set of police officers arrived, they asked us to show them "*where the incident happened*". There was one male officer and one female officer. I sat on the settee whilst the police were asking Amber questions in the kitchen. I wasn't in full earshot of the conversation. I remember Amber saying she didn't want to file a report. Nothing had been cleared up in the apartment. The police clearly saw everything. I remember the male officer saying that if Amber wanted to file a report, they would go and arrest him right now. One of the officers left their card on the kitchen table.

47. Later on two more officers came to the apartment. We told them that a first set of officers had already come through and swept the scene, and that we still did not wish to file a report.

48. The next day May 22 I wrote a statement saying what had happened during the incident the night before. The statement is enclosed at pages 19-20 of Exhibit RRP 2.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.

……[redacted]

Raquel Rose Pennington

Date: June 16, 2020

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